

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

UNITED STATES OF AMERICA,

VS.

CIVIL ACTION NO. 4:06CR104-P-B

JENNIFER BERRY, ET AL.,

DEFENDANTS.

ORDER

This matter comes before the court upon the Government's motion to rule upon the admissibility of the Government's summary chart attached as Exhibit "A" to their motion pursuant to Fed. R. Evid. 1006 [73]. After due consideration of the motion and the response filed thereto, the court finds as follows, to-wit:

The defendant states that he has no objection to the subject summary chart so long as the chart and the summary chart witness testifies only to the information contained on the chart and not whether the subject Medicare claims referred to in the chart were allegedly false. Since the Government did not file a reply in opposition to this objection, the court concludes that the subject chart should be admitted in a manner limited by the defendant's objection.

IT IS THEREFORE ORDERED AND ADJUDGED that the Government's motion to rule upon the admissibility of the Government's summary chart attached as Exhibit "A" to their motion pursuant to Fed. R. Evid. 1006 [73] is **GRANTED** as discussed above.

SO ORDERED this the 26th day of October, A.D., 2007.

/s/ W. Allen Pepper, Jr. _____
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE